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09/46329

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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This action
was never
mailed..

me 6/14/04

EXAMINER

ART UNIT	PAPER NUMBER
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8

DATE MAILED:

This is a communication from the examiner in charge of this application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

☒ This communication is responsive to amendment filed 12/24/02

☒ The allowed claim(s) is/are 1-8, 10 & 11

☐ The drawings filed on _____ are acceptable as formal drawings.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

☐ All ☐ Some* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____.

☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☒ because the originally filed drawings were obviously ~~declared by applicant to be~~ informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

Kenneth R. Rice
Primary Examiner

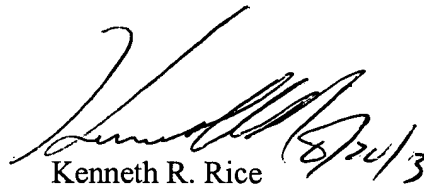
PART III: REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance: The claims are allowable over the prior art of record because the prior art of record does not show or teach a machine (which is disclosed as being a vending machine) which uses credit cards for operating the machine, the machine diminishing the credit card value by the amount of payment required, wherein the aggregate credit card data in the machine can be downloaded to a card, and such a card can be operable to inhibit the downloading of that data, thus preventing the downloading of data to cards that would otherwise be authorized to download such data.

The closest prior art is the patent to Newkirk et al, which was used to initially reject the claims, and the EPO patent to Pitney Bowes, Inc., which discloses the transfer of data between supervisory, master and user cards, but not to and from the machine maintained record.

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. **Biometrics, temp IDs, smart cards stress personalization** discusses the variety of uses for smart cards.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Rice at (703) 308-3495. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-1113.



Kenneth R. Rice
Primary Examiner
Art Unit 3627

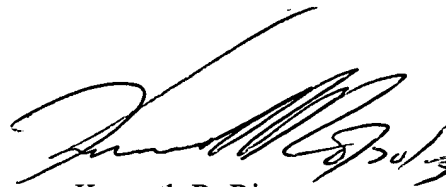
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A handwritten signature in black ink, appearing to read 'Kenneth R. Rice', with a stylized flourish at the end.

Kenneth R. Rice
Primary Examiner
Art Unit 3627